

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3 UNITED STATES OF AMERICA

4 v.

15 CR 536 (PGG)

5 IRFAN AMANAT,

Conference

6 Defendant.

7 -----x

8 New York, N.Y.  
9 February 27, 2018  
10:00 a.m.

10 Before:

11 HON. PAUL G. GARDEPHE

12 District Judge

13 APPEARANCES

14 GEOFFREY S. BERMAN

Interim United States Attorney for the  
Southern District of New York

15 DAMIAN WILLIAMS

16 JOSHUA A. NAFTALIS

Assistant United States Attorneys

17 JILL R. SHELLOW

18 GREGORY MORVILLO (tel.)

AMY WALSH (tel.)

19 Attorneys for Defendant

20 LEGAL AID SOCIETY OF NEW YORK, INC.

Attorneys for Defendant

21 BY: JULIAN D. HARRIS

1 (Case called)

2 THE COURT: Mr. Morvillo, this is Judge Gardephe. I'm  
3 here with the government and Ms. Shellow and Ms. Harris of the  
4 Federal Defenders.

5 Let me say for the record that the purpose of today's  
6 conference is part of a continuing effort to find new counsel  
7 for Mr. Amanat, given Ms. Shellow's request to withdraw.

8 Mr. Morvillo, I'm told that you might have some  
9 ability to come into the case. Could you tell me what your  
10 situation is?

11 MR. MORVILLO: Good morning, your Honor. Good morning  
12 everyone. Also, I'm on the phone with my colleague and  
13 partner, Amy Walsh.

14 THE COURT: Good morning.

15 MR. MORVILLO: Our schedules are this: I have a trial  
16 before Judge Abrams starting April 30th that will run for,  
17 depending on how many defendants, maybe let's call it five  
18 weeks. Right now there are five defendants, although history  
19 tells me that not everybody goes to trial. We will get the  
20 3500 in about two weeks. My client will continue to trial, so  
21 that may be four or five weeks.

22 Ms. Walsh can start much sooner than that. I will not  
23 be able to start until after that trial. I think that we could  
24 be prepared. As I understand it from both Federal Defenders  
25 and the government, not everyone is going to be facing all the

1 counts of the indictment. There is certain conduct that is not  
2 relevant to him and that will not be part of his trial that was  
3 in the trial that was before your opinion in November and  
4 December of last year.

5 So I believe we could be ready to go forward and we  
6 would make every effort to be prepared to go in the fall, in  
7 the October-November timeframe. I don't think I can be  
8 prepared before that because I have to spend March and April  
9 preparing for my trial and then trying it, then I will need  
10 some time to get up to speed on this. Ms. Walsh would be  
11 handling much of it and getting ready and I would come in after  
12 that and play catch-up football.

13 THE COURT: Mr. Williams, Mr. Naftalis, anything you  
14 want to say about a possible October trial date?

15 MR. WILLIAMS: Your Honor, obviously we were wishing  
16 for something sooner. That being said, if it has to proceed in  
17 October, we would ask for a late October trial date. AUSA  
18 Griswold has a September trial that is going to last a few  
19 weeks, so we would want to have some running room in advance of  
20 an October trial date if it's going to be in October.

21 THE COURT: How long do you expect the trial would be  
22 as to just Amanat? How long do you think it will take?

23 MR. WILLIAMS: Two weeks maximum, your Honor.

24 THE COURT: Would October 22nd work for you?

25 MR. WILLIAMS: Yes, it would work for the government,

1 your Honor.

2 THE COURT: Mr. Morvillo, how does October 22nd sound  
3 to you?

4 MR. MORVILLO: I think that's fine with me.

5 Amy, how does that work for you?

6 MS. WALSH: That's fine with me.

7 THE COURT: It seems like we have a resolution.

8 Ms. Shellow, at this point I am going to grant your  
9 request to withdraw.

10 Mr. Morvillo, I'm appointing you to represent  
11 Mr. Amanat as a going-forward basis. I am setting a trial date  
12 of October 22nd. We will issue an order to that effect today.  
13 Also, I will set dates for pretrial filings, motions in limine,  
14 requests to charge, requested voir dire, and so forth.

15 Does the government wish me to exclude time between  
16 now and October 22nd?

17 MR. WILLIAMS: Yes, your Honor, we do.

18 THE COURT: Is there any objection on the part of  
19 defense counsel?

20 MS. SHELLOW: No, your Honor.

21 MR. MORVILLO: No objection from our side, Judge.

22 THE COURT: Then I will exclude time between today and  
23 October 22nd, 2018, under the Speedy Trial Act pursuant to  
24 Title 18, United States Code, Section 3161(h)(7)(A), to permit  
25 Mr. Morvillo and Ms. Walsh to get ready for trial. I find that

1 the ends of justice served by granting this continuance  
2 outweigh the best interests of the public and the defendant in  
3 a speedy trial.

4 I thank you very much, Mr. Morvillo, for coming into  
5 the case.

6 Anything else anyone wants to say?

7 MS. SHELLLOW: No, your Honor, except that I, of  
8 course, will work closely with Mr. Morvillo and Ms. Walsh in  
9 order to make as seamless as possible a transition.

10 THE COURT: Thank you, Ms. Shellow.

11 Ms. Harris, thank you for your efforts.

12 MR. WILLIAMS: Your Honor, are the Federal Defenders  
13 still in the case? We weren't clear whether Mr. Morvillo is  
14 being appointed as sole counsel or co-counsel.

15 THE COURT: What about that, Ms. Harris, is your  
16 office going to have a role in the case at this time going  
17 forward?

18 MS. HARRIS: At this time Mr. Morvillo is fine taking  
19 this case full time. We will be available if something comes  
20 up and he needs our support.

21 THE COURT: Mr. Morvillo, you are comfortable with  
22 that?

23 MR. MORVILLO: Yes, your Honor. We will put in a  
24 request for, I think they call it a major case on the CJA  
25 panel, so we get a budget. This is a big project for us and I

1 want to make sure we have enough help to make sure Mr. Amanat  
2 gets all the help that he needs.

3 THE COURT: Anything else?

4 MR. WILLIAMS: No, your Honor.

5 THE COURT: Ms. Shellow and Ms. Harris, thank you.

6 Good-bye, Mr. Morvillo. Thank you.

7 (Adjourned)

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